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January 12, 2024

Hon. Glenn T. Suddaby
United States District Court
Northern District of New York
Federal Building and U.S. Courthouse
P.O. Box 7367
Syracuse, NY 13261-7367

via ECF

Re: *Antonyuk, et al. v. Hochul, et al.*, No. 1:22-CV-986 (N.D.N.Y.) (GTS/CFH)

Dear Judge Suddaby:

Pursuant to this Court's Order on December 13, 2022 (ECF No. 101), the Parties hereby provide this Joint Letter "regarding the course of further proceedings in this action."

On December 8, 2023, the Second Circuit issued its opinion (Document 413-1), affirming in part and reversing in part this Court's Preliminary Injunction Order. On January 2, 2024, the Second Circuit issued its Mandate. Document 423-1. On January 11, 2024, all parties conferred regarding next steps, and the filing of this Letter.

A petition for certiorari to the United States Supreme Court is not due until March 7, 2024 and as of this date, Plaintiffs have not determined whether to seek review. Thus, it seems premature to reopen proceedings in this Court. Thus, the Parties discussed maintaining the current existing stay until such time that (i) a petition for certiorari is filed, (ii) the time to file a petition expires, or (iii) the parties otherwise seek to reopen proceedings in this Court, whichever is earlier.

Defendants expressed agreement with this path forward. The Parties propose to file another Joint Letter to advise the Court whether a petition for certiorari is filed, and if not, to request a Scheduling Conference so that the Court can enter a Scheduling Order at that time.

If the Court requires any additional information, we are happy to provide it.
We thank the Court in advance for its consideration.

A handwritten signature in blue ink, appearing to read "Stephen D. Stamboulich", with a stylized, cursive script.

Stephen D. Stamboulich

cc: By ECF to all counsel of record.